



**State of Louisiana**  
Louisiana Department of Health  
Office of Public Health

**MEMORANDUM**

**TO:** Louisiana Hospitals, pharmacies, and other recipients of Operation Warp Speed (OWS) COVID-19 vaccine doses

**FROM:** Joseph Kanter, MD  
State Health Officer

**DATE:** January 19, 2021

**RE:** Prohibition against patient/non-patient discrimination in use of OWS COVID-19 vaccine doses

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The Department of Health has recently received indications that certain vaccine providers in the state are reserving their excess doses (i.e., doses that exceeds hospital, clinic, or pharmacy staff uptake) of OWS COVID-19 vaccine for existing patients of their clinic, pharmacy, system or institution (e.g., only for persons who have been patients of the hospital or clinic within the last *x* months). While recent LDH guidance to Hospitals authorized the administration of excess vaccine doses to individuals aged 70 and above, and certain other enumerated classes of individuals, it was the intent of that guidance that providers do not discriminate between current patients and non-current patients, or other similar metrics, in administering such excess doses. To the extent that such discrimination is occurring, it must immediately cease.

OWS COVID-19 vaccine providers are required to ensure discrimination based on prior commercial relationship with the provider, or any other type of relationship, does not occur. This includes discrimination based on “existing” or “prior” patients of a particular provider.

All providers are reminded that distribution of OWS COVID-19 vaccine doses are subject to after-action audits and adverse action could be considered if improper discrimination by a provider is determined to have occurred.

Sincerely,

Joseph Kanter, MD, MPH  
State Health Officer